

AMENDED IN SENATE AUGUST 23, 2005

AMENDED IN SENATE JULY 6, 2005

AMENDED IN SENATE JUNE 21, 2005

AMENDED IN SENATE JUNE 13, 2005

AMENDED IN ASSEMBLY APRIL 20, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL**No. 880**

Introduced by Assembly Member Cohn

February 18, 2005

An act to amend Section 16500.1 of the Welfare and Institutions Code, relating to dependent children.

LEGISLATIVE COUNSEL'S DIGEST

AB 880, as amended, Cohn. Dependent children.

Existing law provides for the placement of dependent children by the juvenile court according to specified procedures. Existing law requires the state to encourage the development of approaches to child protection that employ specified methods.

This bill would expand the latter provision by requiring the state to encourage the development of approaches that include ensuring that a search for relatives available for placement is initiated before permanent placement decisions are made for children who cannot be reunited with their families. The bill would also set forth various requirements for the State Department of Social Services to ensure that as many family members as possible of dependent children are identified, including drafting guidelines outlining best practices in the use of advanced technology to assist counties in identifying all

relatives and nonrelative extended family members at the earliest possible time for a foster child and developing a cost benefit analysis, including funding estimates, as specified. The bill would authorize the department to identify best practices for implementing optimal foster child placement opportunities, as reported by designated counties that have developed kinship care programs for that purpose.

The bill would incorporate additional changes to Section 16500.1 of the Welfare and Institution Code proposed by AB 1412 to be operative only if this bill and AB 1412 are both chaptered and this bill is chaptered last.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares as follows:
- 2 (a) Currently, social workers make the effort to maintain
- 3 relationships between the child in foster care and certain
- 4 individuals who are important to the child.
- 5 (b) The Legislature recognizes the right of a child in foster
- 6 care to be involved in the development of his or her own case
- 7 plan to identify all relatives, extended family members, and
- 8 nonrelative extended family members, and the need to place the
- 9 child in a safe home and to complete any steps necessary to
- 10 finalize the permanent placement of the child and his or her
- 11 siblings, if any.
- 12 (c) In California, at least eight counties have voluntarily
- 13 initiated programs to provide the vital function of seeking to find
- 14 a foster child's relatives and nonrelative extended family
- 15 members using new advances in technology. These proven
- 16 search methods can serve to provide family members who may
- 17 agree to house children who would otherwise be at risk of foster
- 18 care placement. Relative homes offer stability to children in
- 19 crisis and enhance family reunification. Outcome data from
- 20 Washington and Illinois show that children in the care of
- 21 relatives are less likely to enter state custody, and most of these
- 22 arrangements do not require intensive supervision of the
- 23 placement by the courts or by the department of social services.
- 24 Moreover, results from these states demonstrate that even the
- 25 most difficult to place foster children have been successfully

1 placed with extended family members by utilizing family finding
2 technologies.

3 SEC. 2. (a) The State Department of Social Services, in
4 conjunction with stakeholders, including, but not limited to, the
5 California Youth Connection, County Welfare Directors
6 Association, and the California Alliance of Child and Family
7 Services shall draft guidelines outlining best practices in the use
8 of advanced technology to assist counties in identifying all
9 relatives and nonrelative extended family members at the earliest
10 possible time for a foster child. The department, in conjunction
11 with stakeholders, shall also develop a cost benefit analysis,
12 including estimates of the funding needed to support family
13 finding technology that counties can utilize, and develop
14 recommended funding strategies, including the use of state
15 master contracts, public and private partnerships, and available
16 federal funds.

17 (b) (1) The State Department of Social Services may identify
18 best practices for the development of optimal foster child
19 placement opportunities, as reported by the counties listed in
20 paragraph (2), that are planning, designing, and implementing
21 strategies, such as kinship care programs, to prioritize the
22 placement of foster children. The creation of public and private
23 partnerships is encouraged, and will enhance programs designed
24 to quickly identify relatives and nonrelative extended family
25 members of children placed in foster care. The purpose of these
26 programs is to create a robust component in the spectrum of
27 foster care placement options, to be used when out-of-home
28 placement is necessary and to secure permanency for a foster
29 child and any siblings.

30 (2) Counties that have developed kinship care programs,
31 whose practices may be considered by the department pursuant to
32 this subdivision, include, but are not limited to, all of the
33 following:

34 (A) Alameda County.

35 (B) Monterey County.

36 (C) Orange County.

37 (D) Placer County.

38 (E) Sacramento County.

39 (F) Santa Clara County.

40 (G) Stanislaus County.

1 (H) San Mateo County.

2 SEC. 3. Section 16500.1 of the Welfare and Institutions Code
3 is amended to read:

4 16500.1. (a) It is the intent of the Legislature to use the
5 strengths of families and communities to serve the needs of
6 children who are alleged to be abused or neglected, as described
7 in Section 300, to reduce the necessity for removing these
8 children from their home, to encourage speedy reunification of
9 families when it can be safely accomplished, to locate permanent
10 homes and families with relatives, as defined in paragraph (2) of
11 subdivision (c) of Section 361.3, for children who cannot return
12 to their biological families, to reduce the number of placements
13 experienced by these children, to ensure that children leaving the
14 foster care system have support within their communities, to
15 improve the quality and homelike nature of out-of-home care,
16 and to foster the educational progress of children in out-of-home
17 care.

18 (b) In order to achieve the goals specified in subdivision (a),
19 the state shall encourage the development of approaches to child
20 protection that do all of the following:

21 (1) Allow children to remain in their own schools, in close
22 proximity to their families.

23 (2) Ensure that a search for relatives available for placement is
24 initiated before permanent placement decisions are made for
25 children who are unable to be reunited with their families.

26 (3) Increase the number and quality of foster families available
27 to serve these children.

28 (4) Use a team approach to foster care that permits the
29 biological and foster family to be part of that team.

30 (5) Use team decisionmaking in case planning.

31 (6) Provide support to foster children and foster families.

32 (7) Ensure that licensing requirements do not create barriers to
33 recruitment of qualified, high-quality foster homes.

34 (8) Provide training for foster parents and professional staff on
35 working effectively with families and communities.

36 (9) Encourage foster parents to serve as mentors and role
37 models for biological parents.

38 (10) Use community resources, including community-based
39 agencies and volunteer organizations, to assist in developing

1 placements for children and to provide support for children and
2 their families.

3 (11) Ensure an appropriate array of placement resources for
4 children in need of out-of-home care.

5 (12) Ensure that no child leaves foster care without a lifelong
6 connection to a committed adult.

7 (c) In carrying out the requirements of subdivision (b), the
8 department shall do all of the following:

9 (1) Consider the existing array of program models provided in
10 statute and in practice, including, but not limited to, wraparound
11 services, as defined in Section 18251, children's systems of care,
12 as provided for in Section 5852, the Oregon Family Unity or
13 Santa Clara County Family Conference models, which include
14 family conferences at key points in the casework process, such as
15 when out-of-home placement or return home is considered, and
16 the Annie E. Casey Foundation Family to Family initiative,
17 which uses team decisionmaking in case planning,
18 community-based placement practices requiring that children be
19 placed in foster care in the communities where they resided prior
20 to placement, and involve foster families as team members in
21 family reunification efforts.

22 (2) Ensure that emergency response services, family
23 maintenance services, family reunification services, and
24 permanent placement services are coordinated with the
25 implementation of the models described in paragraph (1).

26 (3) Ensure consistency between child welfare services
27 program regulations and the program models described in
28 paragraph (1).

29 (d) The department, in conjunction with stakeholders,
30 including, but not limited to, county child welfare services
31 agencies, foster parent and group home associations, the
32 California Youth Connection, and other child advocacy groups,
33 shall review the existing child welfare services program
34 regulations to ensure that these regulations are consistent with the
35 legislative intent specified in subdivision (a). This review shall
36 also determine how to incorporate the best practice guidelines for
37 assessment of children and families receiving child welfare and
38 foster care services, as required by Section 16501.2.

(e) The department shall report to the Legislature on the results of the actions taken under this section on or before January 1, 2002.

SEC. 4. *Section 16500.1 of the Welfare and Institutions Code is amended to read:*

16500.1. (a) It is the intent of the Legislature to use the strengths of families and communities to serve the needs of children who are alleged to be abused or neglected, as described in Section 300, to reduce the necessity for removing these children from their home, to encourage speedy reunification of families when it can be safely accomplished, to locate permanent homes and families *with relatives, as defined in paragraph (2) of subdivision (c) of Section 361.3*, for children who cannot return to their biological families, to reduce the number of placements experienced by these children, to ensure that children leaving the foster care system have support within their communities, to improve the quality and homelike nature of out-of-home care, and to foster the educational progress of children in out-of-home care.

(b) In order to achieve the goals specified in subdivision (a), the state shall encourage the development of approaches to child protection that do all of the following:

(1) Allow children to remain in their own schools, in close proximity to their families.

(2) *Ensure that a search for relatives available for placement is initiated before permanent placement decisions are made for children who are unable to be reunited with their families.*

(3) Increase the number and quality of foster families available to serve these children.

~~(3)~~

(4) Use a team approach to foster care that permits the biological and foster family *and the child* to be part of that team.

~~(4)~~

(5) Use team decisionmaking in case planning.

~~(5)~~

(6) Provide support to foster children and foster families.

~~(6)~~

(7) Ensure that licensing requirements do not create barriers to recruitment of qualified, ~~high-quality~~ *high-quality* foster homes.

~~(7)~~

1 (8) Provide training for foster parents and professional staff on
2 working effectively with families and communities.

3 ~~(8)~~

4 (9) Encourage foster parents to serve as mentors and role
5 models for biological parents.

6 ~~(9)~~

7 (10) Use community resources, including community-based
8 agencies and volunteer organizations, to assist in developing
9 placements for children and to provide support for children and
10 their families.

11 ~~(10)~~

12 (11) Ensure an appropriate array of placement resources for
13 children in need of out-of-home care.

14 ~~(11)~~

15 (12) Ensure that no child leaves foster care without a ~~life-long~~
16 *lifelong* connection to a committed adult.

17 (13) *Ensure that children are actively involved in the case*
18 *plan and permanency planning process.*

19 (c) In carrying out the requirements of subdivision (b), the
20 department shall do all of the following:

21 (1) Consider the existing array of program models provided in
22 statute and in practice, including, but not limited to, wraparound
23 services, as defined in Section 18251, children's systems of care,
24 as provided for in Section 5852, the Oregon Family Unity or
25 Santa Clara County Family Conference models, which include
26 family conferences at key points in the casework process, such as
27 when out-of-home placement or return home are considered, and
28 the Annie E. Casey Foundation Family to Family initiative,
29 which uses team decisionmaking in case planning,
30 community-based placement practices requiring that children be
31 placed in foster care in the communities where they resided prior
32 to placement, and involve foster families as team members in
33 family reunification efforts.

34 (2) Ensure that emergency response services, family
35 maintenance services, family reunification services, and
36 permanent placement services are coordinated with the
37 implementation of the models described in paragraph (1).

38 (3) Ensure consistency between child welfare services
39 program regulations and the program models described in
40 paragraph (1).

1 (d) The department, in conjunction with stakeholders,
2 including, but not limited to, county child welfare services
3 agencies, foster parent and group home associations, the
4 California Youth Connection, and other child advocacy groups,
5 shall review the existing child welfare services program
6 regulations to ensure that these regulations are consistent with the
7 legislative intent specified in subdivision (a). This review shall
8 also determine how to incorporate the best practice guidelines for
9 assessment of children and families receiving child welfare and
10 foster care services, as required by Section 16501.2.

11 (e) The department shall report to the Legislature on the
12 results of the actions taken under this section on or before
13 January 1, 2002.

14 *SEC. 5. Section 4 of this bill incorporates amendments to*
15 *Section 16500.1 of the Welfare and Institutions Code proposed*
16 *by both this bill and AB 1412. It shall only become operative if*
17 *(1) both bills are enacted and become effective on or before*
18 *January 1, 2006, (2) each bill amends Section 16500.1 of the*
19 *Welfare and Institutions Code, and (3) this bill is enacted after*
20 *AB 1412, in which case Section 3 of this bill shall not become*
21 *operative.*